

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA**

<b>IN RE: NIASPAN ANTITRUST LITIGATION</b>	<b>MDL No. 2460</b>  <b>Master File No. 2:13-MD-2460-JD</b>
<b>This Document Relates to:</b>  <i>Direct Purchaser Actions</i>	

**DECLARATION OF NICHOLAS URBAN IN SUPPORT OF DIRECT  
PURCHASER CLASS PLAINTIFFS' REPLY IN FURTHER SUPPORT OF  
MOTION FOR CLASS CERTIFICATION**

I, Nicholas Urban, declare as follows:

I am a member of the bar of the Commonwealth of Pennsylvania, and I am an associate with the law firm of Berger Montague, P.C. The Court has appointed Berger Montague PC as interim co-lead counsel for the Direct Purchaser Class Plaintiffs.

1. Attached hereto as Exhibit 46 is a true and correct copy of Ex. 1 to the Expert Report of Daniel L. Rubinfeld, dated August 27, 2018. This exhibit has been filed under seal.
2. Attached hereto as Exhibit 47 is a modified version of Ex. 16 to Declaration of Thomas S. Burnett, dated Feb. 25, 2019. This exhibit has been filed under seal.
3. Attached hereto as Exhibit 48 is a true and correct copy of the Federal Trade Commission report, *Authorized Generic Drugs: Short-Term Effects and Long-Term Impact* (2011).

4. Attached hereto as Exhibit 49 is a true and correct copy of Ernst R. Berndt et al. article, *Authorized Generic Drugs, Price Competition, And Consumers' Welfare*, 26 Health Affairs 790 (2007).

5. Attached hereto as Exhibit 50 is a true and correct copy of David Reiffen and Michael R. Ward article, *Generic Drug Industry Dynamics*, 87 The Review of Economics and Statistics (2005).

6. Attached hereto as Exhibit 51 is a true and correct copy of Richard E. Caves, et al., *Patent Expiration, Entry, and Competition in the U.S. Pharmaceutical Industry*, 1991 Pharmaceutical Industry Brookings Papers on Economic Activity, 1, 36 (1991).

7. Attached hereto as Exhibit 52 is a true and correct copy of *IMS Consulting, Assessment of Authorized Generics in the U.S* (2006).

8. Attached hereto as Exhibit 53 is a true and correct copy of a document produced in this litigation bearing bates number ABB-NIA-PAT02208709- ABB-NIA-PAT02208713, marked as Exhibit 11 to the deposition of Marianne Sutcliffe on August 18, 2017. This exhibit has been filed under seal.

9. Attached hereto as Exhibit 54 is a true and correct copy of a document produced in this litigation bearing bates number TEV-NIA00086001- TEV-NIA00086017, marked as Exhibit 7 to the deposition of Maureen Cavanaugh on April 4, 2018. This exhibit has been filed under seal.

10. Attached hereto as Exhibit 55 is a true and correct copy of excerpts of the deposition of Joseph Suarez on February 6, 2018. This exhibit has been filed under seal.

11. Attached hereto as Exhibit 56 is a true and correct copy of excerpts of the deposition of Maureen Cavanaugh on April 4, 2018. This exhibit has been filed under seal.

Dated: March 25, 2019

/s/ Nicholas Urban

Nicholas Urban

**CERTIFICATE OF SERVICE**

I, Nicholas Urban, hereby certify that on March 25, 2019, a true copy of the foregoing document was served on all counsel of record by electronically filing the document with the Court's CM/ECF system.

/s/ Nicholas Urban  
Nicholas Urban